

Commissioners:
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DIVISION OF LEGAL SERVICES
NOREEN S. DAVIS
DIRECTOR
(850) 413-6199

Public Service Commission

July 30, 1998

Mr. Norwood Hope
c/o Turkey Creek Utilities
158 Turkey Creek
Alachua, Florida 32615-9572

Re: 980287-WS - Initiation of show cause proceedings against Turkey Creek, Inc. & Family Diner, Inc. d/b/a Turkey Creek Utilities for violation of Rule 25-30.120, F.A.C., Regulatory Assessment Fees.

Dear Mr. Hope:

I am in receipt of your letters dated July 14 and 23, 1998. In response to your comments regarding the utility's offer of settlement, the Commission is required by the Florida Statutes to collect the penalty associated with the regulatory assessment fees at issue. Because the penalty is required by statute, the Commission does not have the authority to waive it. Therefore, the Commission voted to deny the offer of settlement at its July 21, 1998 Agenda Conference.

In addition, the Commission determined that the amount of interest contained in its order to show cause (Order No. PSC-98-0444-SC-WS, issued March 30, 1998) was miscalculated. The correct amount was actually \$1,202.46. The Commission modified its show cause order to reflect this amount. The amount owed through July 31, 1998 is \$1,300.62.

Based on its miscalculation of interest, Turkey Creek was granted an additional 20 days to respond to the Commission's show cause order. The response time shall end 20 days from the filing of the Commission's order regarding its July 21 vote. The order is due to be filed on August 10, 1998. After the order is filed, I will send you a copy, along with a copy of the original show cause order.

The August 10 order will state with particularity the manner in which you must respond to the show cause order. Failure to do so will result in an admission of the facts alleged and referral of the amounts owed to the Florida Department of Banking and Finance's Office of the Comptroller for collection proceedings.

- ACK _____
- AFA _____
- APP _____
- CAF _____
- CMU _____
- CTR _____
- EAG _____
- LEG _____
- LIN _____
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- RCH _____
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DOCUMENT NUMBER-DATE

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Mr. Norwood Hope
July 30, 1998
Page 2

If you have any questions, please contact me, either by telephone or in writing. My telephone number is (850)413-6181.

Sincerely,

A handwritten signature in cursive script that reads "Tim Vaccaro". The signature is written in black ink and is positioned above the printed name and title.

Tim Vaccaro
Senior Attorney

TV/dr

cc: Division of Water and Wastewater (Chase)
Division of Administration (Lake, Sewell)

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